

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Painters District Council No. 30,

Plaintiff/Counterdefendant,

v.

Vinco Painting Inc.,

Defendant/Counterplaintiff.

Case No. 08-cv-1163
Judge Conlon
Magistrate Judge Ashman

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

Plaintiff hereby respectfully moves this Court pursuant to Fed. R. Civ. P. 56(a) and LR56.1 for an order granting summary judgment in its favor and against Defendant both on the Plaintiff's claim against Defendant for confirmation of an arbitration award and on Defendant's counterclaim against Plaintiff to vacate the same award, stating the following in support:

1. Plaintiff sued Defendant pursuant to Section 301(a) of the Labor Management Relations Act ("LMRA"), 29 U.S.C. §185(a), as amended, to confirm an arbitration award.

2. There are no material facts in dispute and Plaintiff is entitled to summary judgment as a matter of law.

3. Plaintiff has separately filed its LR56.1 Statement of Material Facts, a volume of supporting exhibits, and a supporting memorandum.

WHEREFORE, Plaintiff respectfully requests that this Court grant its motion and enter an order awarding summary judgment in its favor and against the Defendant Vinco Painting Inc., confirming the January 17, 2008, award against Vinco by the Joint Trade Board,

dismissing Defendant's counterclaim, and additionally awarding Plaintiff its attorneys' fees and costs in prosecuting this action, to be determined pursuant to this Court's regular procedures set forth in LR54.1 and 54.3.

Respectfully submitted,

PAINTERS DISTRICT COUNCIL NO. 30

By: s/ David Huffman-Gottschling
One of its attorneys

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CERTIFICATE OF SERVICE

I, David Huffman-Gottschling, an attorney, certify that I caused a copy of the foregoing document to be served electronically upon the following person by filing it using the ECF system on June 6, 2008:

Joseph P. Berglund
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s/ David Huffman-Gottschling
David Huffman-Gottschling